

DISTRICT COURT OF THE UNITED STATES  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:15-cv-120-FDW

NAPOLEON J. RANKIN BEY,                     )  
   )  
                  Plaintiff,                         )  
   )  
                  vs.                                 )  
   )  
FNU CHILDRESS, et al.,                     )  
   )  
                  Defendants.                     )  
\_\_\_\_\_  
   )


**ORDER**

**THIS MATTER** comes before the Court on its own motion following Plaintiff’s failure to respond to the Court’s Show Cause Order dated August 4, 2015.

On June 3, 2015, pro se Plaintiff Napoleon J. Rankin Bey filed this action, pursuant to 42 U.S.C. § 1983, in the Eastern District of North Carolina, and that Court transferred the action to this district on June 22, 2015. (Doc. No. 8). Before the action was transferred, Plaintiff filed a “Corrected Complaint” on June 18, 2015. (Doc. No. 4). Plaintiff named as Defendants seven individuals who are identified as employees of Avery-Mitchell Correctional Institution, where Plaintiff is currently incarcerated as a prisoner of the State of North Carolina. In the Corrected Complaint, Plaintiff makes vague references to “racial discrimination, harassment, and racial issues—racial intimidation” by Defendants. (*Id.* at 4). Plaintiff is a frequent and litigious filer of civil rights actions, and he has filed several prior actions in this Court making similar allegations as those made here. Plaintiff has also reached three strikes under 28 U.S.C. § 1915(g).

In the Court’s prior show cause order, the Court gave Plaintiff 14 days in which to submit (1) an administrative remedies statement, or (2) an explanation as to why he has not submitted an

administrative remedies statement. In the show cause order, the Court specifically warned Plaintiff that his failure to respond to the Court's order would result in the dismissal of this action without prejudice and without further notice to Plaintiff. Plaintiff has not responded to the Court's order. This action is, therefore, dismissed without prejudice.

  
Frank D. Whitney  
Chief United States District Judge

